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REPORT OF THE SECRETARY-GENERAL PURSUANT TO SECURITY COUNCIL RESOLUTION 1019 (1995) ON VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW IN THE AREAS OF SREBRENICA, ZEPA, BANJA LUKA AND SANSKI MOST

I. INTRODUCTION

1. In paragraph 11 of its resolution 1019 (1995) of 9 November 1995, the Security Council requested the Secretary-General to report as soon as possible on recent violations of international humanitarian law in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most. The present report has been prepared from information available to the United Nations, in particular to the United Nations High Commissioner for Human Rights (UNHCHR), the United Nations High Commissioner for Refugees (UNHCR), the United Nations Peace Forces (UNPF) in the former Yugoslavia and the United Nations Protection Force (UNPROFOR) in Bosnia and Herzegovina.

2. Most of the information was gathered from refugees and displaced persons who reached territories held by Bosnian government forces or the Republic of Croatia. It must be noted that United Nations personnel had very limited access to the areas mentioned in the resolution during the period covered by the report.

II. SREBRENICA

3. My report under Security Council resolution 1010 (S/1995/755) and the report of the Special Rapporteur of the Commission on Human Rights on Srebrenica (E/CN.4/1996/9) provide specific accounts of violations of humanitarian law and human rights following the fall of Srebrenica on 11 July 1995. A debriefing report issued by the Ministry of Defence of the Netherlands dated 30 October 1995 contains additional evidence of substantial human rights violations. The present report provides an overview of the current state of information on the key issues of missing persons, executions, involvement of Bosnian Serb leaders and involvement of Serbian paramilitary forces.

A. Missing persons

4. The Bosnian Serb offensive on Srebrenica from 6 to 11 July 1995 led to a mass displacement of the entire Bosnian Muslim community of the area. An estimated 25,000 people were forcibly evacuated on a convoy of buses and trucks organized by the Bosnian Serb authorities. A group of people, estimated at between 10,000 and 15,000, most of whom were men, left Srebrenica on foot. The exact number of persons from these two groups who arrived safely in Bosnian Government-held territory is not known. By most accounts, the local population prior to the Bosnian Serb offensive numbered 38,000 to 40,000, although UNHCR estimated the population of the enclave for food distribution purposes at 42,600.

5. Thousands of people still remain unaccounted for. An unknown number who made their way to safety have simply not been registered by the appropriate authorities. At least several hundred persons are believed to have been killed in armed combat. There are also accounts of men in hiding in Bosnian Serb-held territory, although no more than a few hundred men are believed to be still at large.

6. It is thus difficult to ascertain the exact numbers of those missing. The International Committee of the Red Cross (ICRC) has received over 10,000 tracing requests from families and has determined that 2,000 of the requests are duplicative, leaving a total of 8,000 tracing requests. A further analysis by ICRC indicates that 5,000 of the tracing requests concern individuals who are said to have left the enclave before it was taken by Bosnian Serb forces. Some 3,000 requests concern persons who were taken from their families by Bosnian Serb forces during the expulsion itself.

7. So far, ICRC has had limited access to prisoners. It is understood that only 193 prisoners from Srebrenica have been visited. The difficulty of arriving at exact numbers of missing persons is compounded by the fact that resolved cases are not always reported to ICRC.

8. Based on all available information, it would appear that at least 3,000 but less than 8,000 people from Srebrenica are still missing. When ICRC tracing information is evaluated in the light of estimates of the population of the enclave and of the number of residents who are known to have arrived in Bosnian government territory, the best current estimate of the number of missing is perhaps between 3,500 and 5,500.

B. Evidence of executions

9. There is substantial evidence to support the conclusion that an unknown number of Bosnian Muslim men were executed by Bosnian Serb soldiers. Currently available evidence falls into the following categories: (a) statements by witnesses of executions; (b) statements by Netherlands soldiers involving both direct and indirect evidence of executions; (c) reports of witnesses concerning indirect evidence of executions, including observing groups of detained persons and corpses; and (d) other corroborative material evidence of executions

(photographs of alleged mass graves, evidence found at sites of alleged mass executions).

1. Statements by witnesses of executions

10. Statements were collected from 10 to 12 men by United Nations personnel, human rights organizations and journalists, in which they describe mass executions that they survived or witnessed from a distance. The statements of these men describe executions at no fewer than six sites in the Srebrenica area, namely Nova Kasaba-Konjevic Polje (Kaldrumica), Kravica, Rasica Gai, Zabrde and two sites in Karakaj. One organization, Human Rights Watch/Helsinki, has collected indirect evidence that points to a possible additional site in Bratunac. There is also both direct and circumstantial evidence of executions in Potocari.

11. Eyewitnesses have provided United Nations personnel with detailed and consistent information concerning mass executions in the village of Karakaj. These statements have been repeated and supplemented by media accounts and reports by human rights organizations. According to these accounts, as many as several thousand people were detained at some point in a school in Karakaj. Subsequently, groups of from 5 to 20 persons were summarily executed at 2 sites in the area, 1 of which is described as a meadow near a forest and the other as a grave site near a dam. The detained included men who had been separated from displaced people at Potocari, as well as a large group of men from the column of people who left Srebrenica on foot and who were captured by or surrendered to Bosnian Serb forces. Many of these men were collected in the area of Nova Kasaba-Konjevic Polje. A large group of men were brought to a soccer field near Nova Kasaba. Eventually, the detained men were transported by bus and truck through Bratunac to Karakaj.

12. Reports have been collected by a number of journalists from alleged eyewitnesses of mass executions in other locations. One man reported that a group of some 2,000 prisoners were taken by Bosnian Serb forces from near Lolici to a warehouse in Kravica. The witness stated that, once the men were packed into the warehouse, soldiers began to fire automatic weapons and rocket-propelled grenades into the building. According to the witness, those who were not killed immediately were called out and shot. The witness himself survived this incident by pretending to be dead. This statement is corroborated in part by the report of another man, who told a journalist he saw trucks filled with decomposing bodies coming from the direction of Kravica in mid-August. The bodies were said to have been buried in a mass grave in a field near the village of Burnice. Other men from the area interviewed by the media have provided accounts of executions of smaller groups of captured men in Rasica Gai and Zabrde.

13. Another man interviewed both by journalists and by Human Rights Watch/ Helsinki has described the mass execution of hundreds of men near Nova Kasaba. According to his account, the man hid in reeds near the main road for up to 48 hours, during which time Bosnian Serb soldiers forced detained men to dig large pits for graves and then executed them. The man reported that 500 people were killed during the first day and that the shooting continued into the night.

The next day, a bulldozer reportedly arrived and dug a burial pit about 30 metres by 15 metres. This witness also alleged having seen 400 men buried alive, walked through an area in which there were "1,000 to 1,500 corpses for sure", and overheard a radio conversation between a Bosnian Serb soldier and General Mladic. There is circumstantial evidence, such as aerial photographs taken by the United States Government, to support the man's report of mass executions near Nova Kasaba.

2. Statements by members of the Netherlands Battalion

14. As noted, the Ministry of Defence of the Netherlands has extensively debriefed members of the UNPROFOR Netherlands Battalion who were present in Srebrenica at the time of its fall and has concluded that there is strong evidence to suggest that Muslim men of fighting age were murdered en masse by Bosnian Serbs outside the enclave.

15. Soldiers from the Netherlands Battalion provided both direct and indirect evidence of a number of executions in the Potocari area. In an eyewitness account, a Netherlands Battalion soldier reported seeing a man taken from the group of displaced people near the Potocari compound by four regular Bosnian Serb soldiers at approximately 1600 hours on 13 July. He then saw one of the soldiers shoot and kill the man with a single shot to the neck or to the back of the head.

16. The Netherlands Ministry's report also finds that it is extremely probable that nine Bosnian men were executed in Potocari during the night of 12/13 July. To support that conclusion, the report notes that, during the early evening of 12 July, a soldier from the Netherlands Battalion saw about 10 people led by two armed Bosnian Serb soldiers walking in a westerly direction from the United Nations compound towards a dirt track. Several soldiers from the Netherlands Battalion went to the area on 13 July and found the corpses of nine men near a stream. All the dead had gunshot wounds in their backs at heart level.

17. A number of Netherlands Battalion personnel saw Bosnian Serb soldiers force at least five men into a large factory opposite the United Nations compound in Potocari. Shortly afterwards, they heard five or six shots. A Bosnian Serb soldier later emerged from the factory, armed with a pistol, but the Netherlands Battalion soldiers were unable to confirm whether executions had taken place. Another Netherlands Battalion soldier described an incident where he saw a man kneeling or sitting in the middle of a group of Bosnian Serbs. The group was approached by a number of Bosnian Serb soldiers, who took the man and dragged him to an area behind a house. Screams and a shot were then heard, the soldiers returned alone, shook hands with the other Bosnian Serbs and left; it was not possible to establish later whether an execution had taken place. In another account, a Netherlands Battalion soldier saw five male displaced persons disembark from a Bosnian Serb minibus near the Potocari compound entrance. Two of the men tried to flee but ran straight into the hands of the Bosnian Serb soldiers. The Netherlands Battalion soldier heard shots and saw both men fall to the ground.

18. The Netherlands report makes it clear that, during the evacuation of refugees from the enclave, the Bosnian Serbs segregated men of fighting age from the women, children and the elderly. The men were forced to leave their personal possessions behind. The Netherlands Battalion was prohibited from escorting the male refugee transports by the Bosnian Serbs. According to the Netherlands report, what ultimately happened to the large numbers of males of fighting age after they had left the enclave is not known.

19. On 11 July, members of the Netherlands Battalion saw two trucks, each carrying approximately 40 to 50 men, travelling in the direction of Bratunac. Shortly after the trucks had passed the bend at Yellow Bridge, approximately 100 shots were heard. No Netherlands Battalion personnel saw the actual circumstances of this incident.

20. A Netherlands Battalion soldier escorting a convoy to Kladanj on 13 July saw an estimated 100 Bosnian Muslim soldiers in a field about 5 minutes after the convoy passed Bratunac. On 14 July, a number of buses were seen in Bratunac with male refugees sitting with their heads between their knees and giving the impression that they were very frightened. According to the Netherlands report, there was a great deal of shooting in Bratunac, including from the direction of the soccer stadium (a football pitch surrounded by a fence) but Netherlands Battalion soldiers did not see any victims. On 15 July, many shoes and articles of clothing were observed on a soccer field in the same area.

21. Members of the Netherlands Battalion saw an estimated 1,000 captured Bosnian Muslim soldiers squatting on the ground in a soccer stadium north of Nova Kasaba on 13 July. A group of Netherlands Battalion soldiers who were refused permission to travel and were therefore forced to spend the night of 13/14 July in Nova Kasaba heard continuous shooting from the direction of the soccer field, beginning at approximately 0230 hours and lasting 45 minutes to 1 hour.

22. Two Netherlands Battalion soldiers reported seeing between 500 and 700 bodies on the way from Nova Kasaba to Bratunac on 14 July. However, two other members of the Netherlands Battalion travelling in the same vehicle reported seeing only a few corpses on the road. On 15 July, Netherlands Battalion military personnel saw approximately 30 bodies on this road, as well as "clean-up teams" of people wearing rubber gloves, tipper trucks and trucks carrying corpses. The Netherlands Battalion soldiers also reported seeing dead bodies in various other places. During the early morning of 17 or 18 July, Netherlands Battalion soldiers saw approximately 100 bodies lying on two trailers coming from the direction of Srebrenica.

3. Reports of witnesses concerning indirect evidence of executions

23. Many of the displaced people from Srebrenica interviewed by United Nations personnel reported seeing dead bodies along the road from Potocari, particularly between Bratunac and Konjevic Polje and at Nova Kasaba. The dead were usually described as men wearing civilian clothes. Several displaced persons said that the bodies they saw had their throats cut or had been mutilated.

24. Some of the displaced persons also gave accounts of seeing groups of detained people during their travel from Potocari to Kladanj. One displaced person reported seeing approximately 500 men, many of whom were wearing Bosnian government army uniforms, detained at a soccer field near Nova Kasaba. Others gave accounts of groups of captured men who were standing near the road with their hands behind their heads.

25. Similar accounts concerning the sighting of groups of detained men have been given by many displaced persons to journalists and human rights organizations. For example, one person interviewed by Human Rights Watch/ Helsinki, reported seeing some 2,000 men with their hands tied above their heads 1 kilometre from Konjevic Polje on the road to Nova Kasaba. Another person also reported seeing some 20 prisoners standing in a field in Kravica and some 50 people being held in Nova Kasaba, and a third person observed 2 women and 20 men detained in Kravica and some 100 dead bodies, all male, on the side of the road to Konjevic Polje.

26. Journalists have also reported that Bosnian Serb villagers in the affected areas have given statements that corroborate the accounts of executions. An article in The New York Times dated 29 October noted that:

> "Serbian civilians interviewed this week in the villages around Srebrenica confirmed for the first time the mass killings carried out in their midst. They pointed out schools that were used as holding pens for the doomed Muslims - including the school house in Karakaj ... One man said he had been stopped by soldiers who asked for help loading the bodies onto trucks for burial".

27. The Christian Science Monitor reported the following interviews: six men described a mass grave near Cerska; one man described a mass grave near Burnice; and three other men reported a mass grave at Karakaj. Villagers interviewed in Bratunac have also said that mass killings took place in a playing field in Bratunac and in a shed behind a school. One man from Ljubovija who was interviewed said that as many as 4,000 people were detained in Bratunac in three locations.

4. Other corroborative evidence of executions

28. Evidence outlined above concerning executions at Nova Kasaba has partly been corroborated by aerial photographs of the area taken by the United States Government. One photograph shows 600 people at the soccer field in Nova Kasaba. The photograph also appears to show guards in positions around the perimeter of the field. There are also photographs of a field 1 kilometre away where, at a bend in the road, there is an area of "disturbed earth" measuring 100 metres by 50 metres. A second photograph shows another area of disturbed earth 100 metres square. There are tracks from heavy vehicles leading from the road to the "disturbed earth" in both photographs. In photographs taken several days earlier, the earth at both sites was not disturbed.

29. United States aerial photographs also show an estimated 400 people in a field in the village of Sandic. There are also media reports of additional

aerial photographs taken on 27 July that show three areas of "disturbed earth" near the town of Sahanici in the vicinity of Karakaj. Photographs of the same area taken on 5 July are said to show no disturbance of the earth.

30. A reporter for The Christian Science Monitor visited the area of Nova Kasaba in August and found additional evidence of mass executions in the area. He found three areas of freshly turned earth, measuring 300 by 300 feet, 250 by 200 feet and 100 by 50 feet respectively, as well as truck and bulldozer tracks leading to each of the sites. On the edge of the smallest area, the reporter observed what appeared to be a human femur and tibia surrounded by bits of tattered fabric jutting from the turned earth. Several personal effects such as photographs and diplomas were also found. Near the three sites, the reporter found two empty ammunition boxes capable of holding several hundred rounds. A handful of shell casings were also located across the street from one site. Muslim prayer beads, clothing, legible receipts and election ballots from Srebrenica were found one quarter of a mile from the three suspected mass graves.

31. In addition, the same reporter found evidence that a large number of people were detained in an abandoned building on the grounds of the Bratunac soccer stadium. He observed several dozen bullet holes in the walls and what appeared to be dried blood stains on the floor and on one wall of the building.

C. Involvement of Bosnian Serb leaders

32. Statements by members of the Netherlands Battalion confirm that General Ratko Mladic was present in Potocari on 11 and 12 July. The Netherlands Battalion commander met twice with General Mladic during the evening of 11 July; they met again the following day. United Nations military observers also reported General Mladic's presence on 12 July in Potocari.

33. On 12 July, General Mladic was filmed by Bosnian Serb television crews handing out sweets to children in Potocari. Many of the displaced persons interviewed by the journalists and human rights organizations also spoke of seeing General Mladic in Potocari and at other sites where human rights abuses are alleged to have occurred. In many of these accounts, General Mladic is said to have spoken to the displaced and/or detained people, first disparaging Bosnian government leaders then assuring his listeners that they would not be harmed. A number of detained men reported that General Mladic told them they would be held for a prisoner exchange.

34. Several of the men detained in a soccer stadium at Nova Kasaba have reported that General Mladic came to the site and spoke to them. Other detained men report having seen General Mladic in Bratunac, at the school where detainees were held in Karakaj and in Kravica. Some of the men who reported witnessing mass executions in Karakaj have also said that General Mladic was present at the site of the killings.

D. Involvement of paramilitary forces

35. There are reports that numerous paramilitary groups were present in the Srebrenica area during and following the fall of the enclave. The Netherlands report notes that members of the Netherlands Battalion saw the following paramilitary units in and around the enclave: "Drina Wolves, Seselj Militia, Specialna Policia, White Eagles, Arkan Tigers and Krajina Serbs". United Nations military observers report that paramilitary leader Zeljko Raznatovic, known as "Arkan", and his troops were positively identified at the scene of the evacuation of refugees in Potocari on 13 July.

36. Displaced persons and men who had been detained also report the involvement of paramilitary forces and soldiers from the Federal Republic of Yugoslavia (Serbia and Montenegro). One man interviewed by the United Nations, who was held in the Karakaj gymnasium, said that the soldiers in the gymnasium stated that they were from Serbia. Another man described seeing units of the "Black Wolves" at Snagovo as his group attempted to walk to Bosnian Government-held territory. Other displaced persons interviewed said that they believed some of the soldiers involved were from Serbia and Montenegro because of their accents and well-ordered appearance.

37. Human Rights Watch/Helsinki interviewed a man who stated that he was detained by an acquaintance of his who was a soldier in the Yugoslav army and a resident of Serbia. Other people interviewed by Human Rights Watch said that they recognized accents of Serbs from Serbia and Krajina and saw emblems, insignias, patches and uniforms worn by troops from those areas. One person also reported that soldiers entered a building in Potocari wearing camouflage police uniforms marked with a double-headed eagle worn by some Serbian paramilitary groups.

III. ZEPA

38. In my last report to the Security Council (S/1995/755), it was noted that there were approximately 6,600 to 6,700 people in the enclave before its fall on 25 July 1995. Some 4,800 civilians, mostly women and children, were evacuated from Zepa between 25 and 27 July. During the evacuation, 36 draft-age men were taken off the buses, including 13 who were lightly wounded. A 50-year-old man was taken from UNPROFOR protection at a checkpoint on 27 July. About 1,500 men, possibly accompanied by family members, reportedly escaped to the surrounding woods.

39. It was also reported that 44 prisoners had been registered by ICRC in Rogatica in the Federal Republic of Yugoslavia (Serbia and Montenegro). In addition, ICRC has confirmed its access to 793 Bosnian Muslims who fled into the Federal Republic of Yugoslavia (Serbia and Montenegro). Most of these people came from Zepa, although it remains unclear how many of the group had only recently fled to Zepa following the fall of Srebrenica. UNHCR estimates that some 10 per cent of this group came from Srebrenica. At the time of writing, 342 people are still detained in Mitrovo Polje and 450 are detained in Slivovica, in the Uzice region. To date, there are no reliable figures regarding persons from Zepa who are still missing, although the number is

presumed to be much smaller than the estimate of persons missing from Srebrenica.

40. Concerning the involvement of Bosnian Serb leaders, UNPROFOR personnel were present when Avdo Palic, the Bosnian government commander who negotiated with the Bosnian Serb army was seized by Bosnian Serb soldiers on 27 July. The next morning, an UNPROFOR political officer spoke directly by radio to General Mladic and asked him about Mr. Palic. He was told by the General that "Palic is dead". A close associate of General Mladic, General Tolimir, reportedly ordered the arrest and detention of three civilians, including the mayor of Zepa, Mehmed Haric, who had been negotiating with the Bosnian Serb authorities. Displaced persons from Zepa also said that General Mladic had boarded at least one of the buses used in the expulsion of people from the enclave to give a speech.

41. United Nations observers in Zepa reported that a large number of foreign mercenaries, including Greeks and Russians, were present among the Bosnian Serb forces. There are also reports that many of the buses carrying displaced people from Zepa came from Serbia and carried licence plates of the Federal Republic of Yugoslavia (Serbia and Montenegro).

IV. NORTHERN BOSNIA AND HERZEGOVINA

A. Forced evictions

42. At least 26,000 Croats and Muslims have been forced to leave the Banja Luka area since the beginning of August 1995. The evictions were carried out essentially in two waves.

43. During August and September of 1995, approximately 14,000 Croats and 6,000 Muslims crossed from Bosnia into Croatia via the Sava river crossing at Srbac/Davor. The situation in the Banja Luka area had deteriorated significantly during the same period. In August, more than 150,000 Serbs from the Krajina region of Croatia crossed into northern Bosnia as a consequence of Croatia's military offensive, although many of these refugees continued on to the Federal Republic of Yugoslavia (Serbia and Montenegro). In mid-September, some 127,000 Serbs fled to the Banja Luka area as the Bosnian army advanced in western Bosnia. These people joined an estimated 14,000 Bosnian Serbs who had fled Glamoc and Grahovo for Banja Luka in late July in the wake of the advance by the joint Croatian/Bosnian-Croat forces. The arrival of large groups of Serb displaced persons, by their presence and, in some cases, by their acts, exacerbated the climate of tension, which resulted in forced evictions, especially of members of the Croat minority. Many reports also attribute additional pressure on the minority community in the area to the arrival of paramilitary forces led by Arkan.

44. A second wave of evictions, far more brutal in character, took place in October. During one week in mid-October more than 6,000 people were expelled from their homes in cities held by Bosnian Serb forces, such as Banja Luka, Bjeljina, Bosanska Dubica, Bosanski Novi, Doboj, Prijedor and Sanski Most. Nearly all the displaced persons were Bosnian Muslims. They were forced to

travel to Bosnian Government-held territory with as little as five minutes notice. Many had been expelled from their homes and forced to seek shelter elsewhere in the area in the weeks prior to the mass expulsion of people from north-western Bosnia. The expulsion was carried out by both local civilian authorities, including the local Red Cross, and Bosnian Serb military police and soldiers. Some of the displaced persons also reported that members of Arkan's paramilitary forces were involved. Others stated that Arkan's forces had arrived in the weeks prior to the mass expulsion and that they had engaged in harassment, intimidation and robbery of local residents, but were not present during the expulsions. In addition, the arrival of Bosnian Serbs displaced from Drvar and Sipovo, which had recently been retaken by Bosnian government forces, contributed to tensions in the region.

45. Some of the displaced people were relieved to be provided an opportunity to leave the area. For example, a number of those interviewed stated that they had tried to leave for Croatia, but had been unable to do so, apparently as a result of the closure of the Sava river crossing by Croatian authorities.

46. The Bosnian Serb authorities had earlier given assurances, including one in a formal communication to ICRC dated 14 August 1995, that minorities were free to stay in or leave the territories under their control. According to these assurances, the Bosnian Serb authorities further agreed that no one would be subject to harassment upon departure, that families would not be separated in the course of the evacuation and that men would not be kept behind to work on the front lines. Subsequent events have shown that these commitments were violated on a massive scale.

47. A group of roughly 40 civilians, mainly women, elderly men and children are said to have been expelled from Bjeljina by a paramilitary unit called "Vojkan Djurkovic" on 12 October and arrived in Kladanj on 14 October. No packing or dressing was permitted and money and jewels were stolen.

48. Residents of Bosanska Dubica consistently report that they were forced from their homes on 10 October and taken to a warehouse or hall, where they were detained for a period ranging from several hours to more than half a day. There are a number of reports that people were severely beaten, both during the forced movement from their homes and while they were detained. In addition, there are consistent reports that young women were taken from the group and raped. One woman described that she was selected by a Bosnian Serb soldier who asked to see her hands. When he saw that her fingernails were polished, the soldier took the woman to a field outside the hall where she was raped by three soldiers.

49. Many displaced persons from Bosanski Novi were expelled from their homes several weeks before they were ultimately transported in a convoy of 10 buses on 6 October to Bosnian Government-held territory. While some of those expelled were allowed to return home after several days, their movements were severely restricted and they were not permitted to leave their residences. The situation in Bosanski Novi reportedly deteriorated significantly upon the arrival of members of Arkan's paramilitary forces. Reports from Bosanski Novi have been received to the effect that as many as 100 people were killed in the town before the mass expulsion occurred, allegedly because they had refused to leave their homes. These massacres, alleged to have occurred in the first week of October,

were attributed to paramilitary forces of Arkan and Seselj (Mr. Vojislav Seselj, leader of the Radical Party of Serbia).

50. In Prijedor, forced expulsions began on 5 October. Some of the displaced persons were contacted by Bosnian Serb soldiers that night and ordered to assemble in front of the Red Cross building in Prijedor the following morning. Other groups of displaced people were rounded up later in the week for convoys leaving the area during the period from 8 to 11 October. Force and threats were frequently employed. Several displaced persons described soldiers with rifles, pistols and hand grenades ordering them to leave immediately or else they would be killed. Many of the people expelled paid between 50 and 70 deutsche marks for their travel.

51. Muslim residents of the village of Ljubija, south-west of Prijedor, reported being expelled from their homes in the period from 8 to 11 October by civilians who were armed in some cases. Several displaced persons stated that they believed residents of the village had gathered at a collection point in town and travelled by bus to Prijedor. After a long wait in Prijedor, during which additional buses were added to the convoys, the displaced persons were transported to the confrontation line. Residents of Ljubija also spoke of harassment, robbery and threats by members of Arkan's paramilitary forces. One woman said that two of Arkan's troops approached the convoy in Prijedor while they were waiting to depart, insulted the passengers and demanded money. One of the soldiers bragged to her "Do you know who I am? My commander is Arkan."

52. In the Sanski Most area, a forced expulsion of many Muslim inhabitants to the village of Sehovici occurred three weeks before the displaced persons were forced from the area altogether. Residents of both Sanski Most itself and surrounding towns, including Kijevo, report that they were ordered to leave their homes between 18 and 23 September. Again, members of Arkan's paramilitary forces were frequently identified by displaced persons as responsible for these abuses.

53. There were a number of reports of threats, looting, rape and murder. One 17-year-old girl said that Bosnian Serb neighbours had killed her parents on 21 September. The girl fled with her sisters but was later forced to Sehovici by Arkan's soldiers; she reported that she was raped. Another 17-year-old girl also said she had been raped. On 8 to 9 October, displaced persons in Sehovici were forced to board buses for transport to Bosnian Government-held territory. The convoys were organized and escorted by Bosnian Serb soldiers.

54. A similar pattern of expulsion and abuse had occurred earlier in Doboj, during the week of 19 to 26 September. During that time, nearly 1,500 mostly Muslim residents of Doboj were forced by military police to gather in a sports stadium on very short notice (5 minutes to 2 hours), robbed of their valuables, driven by bus to an area near the confrontation line and forced to walk a distance of 10 to 15 miles in very difficult conditions. Several elderly persons are reported to have died of exhaustion during the arduous trek. On arrival in Bosnian government territory, some of the displaced persons showed clear signs of severe physical abuse.

B. Missing persons

55. Virtually all the displaced persons from north-western Bosnia tell of the separation of men of military age, although accounts vary as to when these separations occurred. In many instances, men of military age were permitted to board buses, but were taken away when the buses stopped en route. At other locations, separations occurred at the collection points before the buses were boarded. Based on these accounts, there is credible evidence that several hundred men were separated from the convoys. The fact that few men of military age arrived in Bosnian Government-held territory provides further support for this conclusion.

56. Unlike in Srebrenica, however, there is also proof that some wounded and older men were allowed to proceed. In addition, there are reports that families were forced to pay DM 500 as ransom for male family members although, in many cases, Bosnian Serb soldiers allegedly took the money but failed to release the detained man. In some cases, Bosnian Serb soldiers appeared to be selecting only the most able-bodied men: two men (aged 41 and 44) described being taken off buses but returned after they produced documents showing they had been wounded while on forced labour. They added that men taken off the buses were separated into two groups, one of which was allowed to return to the buses. They described the men in the group who were not permitted to reboard as young and able-bodied. One young man reported being able to avoid separation by hiding under baggage on the bus. Estimates of the number of men taken off the convoys from Prijedor and Banja Luka ranged from 10 to 35. In Bosanski Novi, an estimated 50 men of military age were reportedly separated from their families when they were assembled for transport at the local bus station.

57. Persons expelled from the Prijedor area reported that men were permitted to travel on the convoy, but that many of the men were ultimately separated from the group at a stopping point near the confrontation line. On one convoy, three buses arrived at the stopping point at the same time. Most of the men of military age on the buses were taken off, but many of those originally taken were returned. It was said that 10 men from the three buses did not return.

58. A second group of displaced persons from the same area, who had travelled on a larger convoy, reported that they had shared their experiences upon arriving in the collection centre and calculated that 24 men were taken from the 11 buses in their convoy. Another woman reported that she had paid DM 500 for her grandson who was taken off the bus, but that he was not returned; on a different convoy, a woman said she paid DM 600 for her husband, but that he had still been taken.

59. In Kijevo near Sanski Most, the residents of the village - including men of military age - were loaded onto trucks on 18 September for forced movement to the village of Sehovici. When the trucks stopped in Sanski Most on their way to the village, an estimated 40 to 55 men were taken off. Additional men were separated from their families in the days following the group's arrival in Sehovici. One mother from Sanski Most reported that her two sons had been taken during the expulsion to Sehovici and were detained with hundreds of other men at the ceramics factory nearby. She said she was able to visit them and reported that they had been beaten and bruised.

60. Other displaced persons who had been expelled to Sehovici reported that additional men were taken off the convoy that left from Sehovici during the night of 8/9 October at a stop near a fuel station 15 to 20 minutes after departure. At that point, the men were taken off the buses but then returned. At a second stop about 20 minutes later, men of military age were again taken off the buses, but this time they were not returned. The number of men taken was estimated by the displaced persons to be between 35 and 50. Soldiers came onto the buses and said that, if all men from the age of 17 to 65 did not get off, they would "be in real trouble."

61. In total, several hundred men were probably separated from the convoys carrying the most recent wave of displaced people expelled from northern Bosnia. In addition to the men separated from the convoys, men who were away from home serving on forced labour crews at the time the mass expulsion occurred were also reported as missing upon the arrival of their families in Bosnian government territory, bringing the number of missing persons to between 1,200 and 2,000. In meetings with United States Assistant Secretary of State John Shattuck in early November, Bosnian Serb authorities conceded that there are approximately 400 Bosnians missing from the Banja Luka area, and that another 1,000 Bosnians had been conscripted for forced labour, detained or were "homeless".

62. Many of the people who remain missing are probably still conscripted for forced labour by Bosnian Serb authorities. Others may be detained outright, despite the fact that they are civilians, for use in future prisoner exchanges. Based on credible testimony from men who were held in Sanski Most and physical evidence found when Bosnian forces took the town last month, it is likely that an unknown number of the men reported as missing have been summarily executed.

C. Forced labour

63. As noted, many of the men now reported as missing were not taken from buses during the expulsions, but rather conscripted for forced labour and were away from their homes at the time the expulsions occurred. Like the men separated from the convoys, however, the fate of those taken for forced labour remains unknown.

64. Displaced persons report that virtually all men of military age were required by Bosnian Serb authorities to perform forced labour at some point during the last three years. While a small number of those conscripted went to work in factories or on other jobs, the majority of the men served on crews constructing trenches. The most common pattern of conscription involved a period of two or three months' service, followed by a home leave of several weeks. One woman reported that her husband had been back from a period of forced labour for only five days when they were forcibly expelled from Sanski Most; her husband was again separated from his family between Sehovici and the confrontation line. According to reports, Bosnian Muslims were given a choice between fighting in the military and forced labour; the great majority chose the latter.

65. Bosnian Muslim women also reportedly had to perform forced labour, especially in the last several months. The conditions for forced labour by

women, however, apparently differed from those of men. Women were reportedly required to work on a daily basis, but could return home in the evenings. The tasks commonly performed included cleaning and factory work. One displaced person from Ljubija stated that virtually everyone except primary school children had some work obligations.

66. Another man said that, while originally only younger men had been forced to work, in recent months, older men had been conscripted as well. For example, there were reports that all adults in Bosanska Dubica, including the elderly and sick, were called for forced labour after the shelling of the town in mid-September. The primary tasks involved repairing shell damage; some of the workers were required to fix damage to roofs, putting them at risk from sniper fire.

67. Forced labourers were reportedly required to work in extremely difficult and dangerous conditions. Two displaced persons interviewed in Zenica had been shot while digging trenches at the front lines; one of the men said the advance trench he was digging near Brcko was only 70 to 100 metres from Bosnian government troops. Both wounded men said they received appropriate medical care for their injuries. One of the men stated that he had to work at times for 48 hours without interruption and that he had been subjected to very severe beatings by their Bosnian Serb guards.

D. Summary executions

68. A number of displaced persons reported having seen bodies of people who had died during the expulsion. In most cases, the displaced persons interviewed were not able to identify the cause of death; many attributed the deaths of elderly persons to exhaustion rather than execution. One man described having been ordered by Bosnian Serb soldiers to wrap a body in a blanket and carry it to Bosnian Government-held territory with the assistance of two other men. The victim was a woman, estimated to be 40 to 45 years old. The man said that the body was unclothed from the waist down, and that there were bruises around the victim's neck, indicating death by strangulation.

69. Some of the most compelling evidence regarding possible executions in northern Bosnia involves the area of Sanski Most. The fact that Bosnian government forces gained control of the town enabled international organizations and journalists to seek evidence corroborating reports of human rights abuses in the area. European Community Monitoring Mission (ECMM) teams visited Sanski Most in the days after the Bosnian Serb army retreated and found the bodies of 120 civilian men at a number of different locations. Of the dead, 82 had been shot, 11 appeared to have been killed by severe blows to the head, 2 had been shot and stabbed and the cause of death of the remaining 25 was not immediately known. In one detention facility, an ECMM team found the bodies of 11 men dressed in workmen's clothes piled in one room; all 11 had apparently been executed.

70. Indications are that many of the executed men had been in the Sanski Most area serving on forced labour brigades of Bosnian Serb forces. According to eyewitness accounts, between 350 and 400 men were held from 21 September until

10 October in the Sanakeram ceramics factory in Donji Kamengrad, 4 kilometres west of Sanski Most. Muslim civilians released during a prisoner exchange between the Bosnian government and Bosnian Serb armies that took place on 30 October in Koprivna, 6 kilometres north of Sanski Most, were interviewed by international observers and said they had witnessed executions while in captivity.

71. According to these witnesses, a group of 12 Muslim civilians detained in the Sanakeram factory were taken out behind the building and, after having been severely beaten, were shot at close range. In another incident, a guard fired through a glass window into the room and one man was killed. The international observers reported seeing the ricochet mark on the wall and the blood stain. Separately, three bodies were reportedly found burnt in an industrial oven in the factory. It was reported that many of the guards at the factory appeared to belong to Arkan's paramilitary forces.

72. Another witness interviewed said that he had survived an execution. According to his account, during the night of 21/22 September he was taken, together with seven other Muslims, by Arkan's men in a truck in an unknown direction. They were handcuffed by pairs. After several kilometres, the truck stopped and the soldiers ordered two Muslims to get off the truck. Shots were heard and the soldiers returned alone to the truck. Then the witness was ordered to get off the truck, together with the man who was handcuffed to him, and they were taken to the basement of a house. There the witness saw some dead bodies lying on the floor, which was covered with blood. He was then told to stand against the wall and was shot. He felt a strong pain on his left side, close to his heart and fell down. He pretended to be dead, while the other men in the truck were also brought in by pairs and executed.

E. Involvement of paramilitary forces

73. The presence of paramilitary forces, in particular units of Arkan and, to a lesser extent, of Seselj, was observed in the whole area during the period described. Arkan units are said to have arrived in the Sanski Most area during the third week of September in buses with Vukovar licence plates, raising tensions, including through harassment, killing and rape, and provoking massive expulsions. At the beginning of October, Arkan units are said to have moved to the Bosanski Novi area and their presence seems to have substantially changed the situation, as many Serbs, who until the arrival of these units had been friendly towards the Muslims, became hostile out of fear. Numerous statements given by refugees and displaced persons interviewed by international observers, including the media, indicated the presence of paramilitary units of Arkan.

V. OBSERVATIONS

74. As if the savagery of the war in the Balkans since 1991 was not enough, the past few months have seen further despicable acts of cruelty and violence, as illustrated by the catalogue of reported atrocities described in the present report. This and other reports provide undeniable evidence of a consistent pattern of summary executions, rape, mass expulsions, arbitrary detentions, forced labour and large-scale disappearances. In this, the United Nations Year of Tolerance, the events of the past few months in Srebrenica, Zepa, Banja Luka, Sanski Most and elsewhere in former Yugoslavia have amply demonstrated mankind's tragic capability for intolerance and inhumanity.

75. The full horror has yet to be properly investigated and revealed. Access to the areas in question by the relevant United Nations and other international organizations and institutions, including the Special Rapporteur of the Commission on Human Rights and the human rights field officers deployed by UNHCHR/UNPF, is crucial. The international community should insist that the Bosnian Serb leadership give full cooperation to all relevant international mechanisms in order that these events may be thoroughly investigated and the truth established.

76. On 16 November 1995, the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law in the Territory of the Former Yugoslavia issued further indictments against the Bosnian Serb leaders Radovan Karadzic and Ratko Mladic for their direct and individual responsibilities for the atrocities committed against the Bosnian Muslim population of Srebrenica in July 1995 after the fall of the enclave to Bosnian Serb forces. They are charged with genocide, crimes against humanity and violations of the laws or customs of war.

77. It is imperative that the Prosecutor be provided with the ability and powers to gather the necessary evidence effectively and swiftly in a form that can be presented in court to the International Tribunal. Moreover, States have an obligation to take the actions needed to create the conditions essential for the Tribunal to perform the task for which it has been created.

78. The moral responsibility of the international community is heavy indeed. The world surely must not allow such acts to go unpunished, wherever and by whoever they are committed. If it does, these and similar crimes will happen again.